United Nations A/65/789

General Assembly

Distr.: General
18 March 2011
English
Original: Spanish

Sixty-fifth session
Agenda item 45
Question of the Falkland Islands (Malvinas)

Letter dated 17 March 2011 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the Argentine Government's reply to the letter from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland (A/65/751) (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45 concerning the question of the Malvinas Islands.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

11-26914 (E) 210311 210311

Please recycle

Annex to the letter dated 17 March 2011 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

The Argentine Republic wishes to refer to the letter addressed to the Secretary-General by the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations dated 18 February 2011 and circulated as document A/65/751.

The Argentine Republic rejects each and every one of the statements contained in this letter and regrets that the British Government ignores and distorts duly documented historical facts in an evident attempt to conceal the act of usurpation it committed in 1833; this act has, since the very moment of the British invasion, been the subject of continuing and repeated protests by Argentina. This attitude also reveals the United Kingdom's evident lack of certainty about what it considers its "rights" on the question of the Malvinas Islands.

Furthermore, the Argentine Republic regrets that the United Kingdom distorts the geographical scope of the dispute and the purpose of the formula on sovereignty agreed in the 1989 Madrid Joint Statement and reaffirmed in the 1990 Madrid Joint Statement and in subsequent joint statements. This formula refers to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas and, while safeguarding each party's position, is aimed at creating the proper atmosphere for the resumption of the negotiations on sovereignty in accordance with the relevant United Nations resolutions.

The Argentine Republic reiterates its permanent willingness to resume the bilateral negotiations with the United Kingdom and regrets that the latter refuses to do so and persists in carrying out unilateral activities in the disputed area that are contrary to General Assembly resolution 31/49. These activities include the exploration and exploitation of renewable and non-renewable natural resources; and the conduct of military exercises, including the firing of missiles from the Malvinas Islands; and deliberately failing to comply with the International Maritime Organization standards on protection of human life at sea and safety of navigation.

It is surprising that the United Kingdom claims in its note that Argentina has withdrawn from cooperation when it was that country's own unilateral activities referred to above that prevented the continuation of the said cooperation.

It is also surprising that the British letter includes references to a conflict which took place 29 years ago, when the Argentine Republic has reiterated its invitation to the United Kingdom to resume negotiations and has included in its National Constitution a mandate to settle the sovereignty dispute by peaceful means.

The Argentine Republic wishes to reiterate that Decree 256/2010 fully complies with international law, including the United Nations Convention on the Law of the Sea, and is not an obstacle to freedom of navigation in the Magellan Strait.

The Argentine Republic reaffirms its sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are part of its national territory.